

BILL NO. 88-43

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

AS AMENDED

BILL NO. 88-43 (AS AMENDED)

Introduced by Council President Hardwicke at the  
request of the County Executive

Legislative Day No. 88-17 Date May 31, 1988

AN ACT to add new Chapter 162, heading, Livability Code, to the Harford County Code, as amended; to provide for the establishment of minimum property maintenance standards for basic equipment and facilities used for light, ventilation, heating, and sanitation for rental housing units and premises, and for safe and sanitary maintenance of rental housing units and premises; and generally relating to rental housing.

By the Council, May 31, 1988

Introduced, read first time, ordered posted and public hearing scheduled

on: July 5, 1988

at: 6:00 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held

on July 5, 1988

and concluded on July 19, 1988

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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BILL NO. \_\_\_\_\_

AS AMENDED

1 Section 1. And Be It Enacted By The County Council of Harford  
2 County, Maryland, that new Chapter 162, heading, Livability  
3 Code, be, and it is hereby added to the Harford County Code, as  
4 amended, all to read as follows:

5 CHAPTER 162. LIVABILITY CODE.

6 SECTION 162-1. GENERAL.

7 A. TITLE. THIS ORDINANCE SHALL BE KNOWN AS THE  
8 MINIMUM LIVABILITY CODE OR "THIS CODE".

9 B. SCOPE. THIS CODE IS CREATED TO PROTECT THE PUBLIC  
10 HEALTH, SAFETY AND WELFARE IN RENTAL HOUSING UNITS AND PREMISES  
11 BY:

12 (1) ESTABLISHING MINIMUM PROPERTY MAINTENANCE  
13 STANDARDS FOR BASIC EQUIPMENT AND FACILITIES USED FOR LIGHT,  
14 VENTILATION, HEATING, AND SANITATION FOR RENTAL HOUSING UNITS  
15 AND PREMISES, AND FOR SAFE AND SANITARY MAINTENANCE OF RENTAL  
16 HOUSING UNITS AND PREMISES;

17 (2) ESTABLISHING MINIMUM REQUIREMENTS FOR RENTAL  
18 HOUSING UNITS AND PREMISES FOR MEANS OF EGRESS, FIRE PROTECTION  
19 SYSTEMS, AND OTHER EQUIPMENT AND DEVICES NECESSARY FOR SAFETY  
20 FROM FIRE;

21 (3) FIXING THE RESPONSIBILITIES OF PROPERTY  
22 OWNERS, OPERATORS, AND TENANTS OF RENTAL HOUSING UNITS AND  
23 PREMISES; AND

24 (4) PROVIDING FOR ADMINISTRATION, ENFORCEMENT,  
25 AND PENALTIES.

26 C. INTENT. THIS CODE SHALL BE CONSTRUED LIBERALLY AND  
27 JUSTLY TO PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE INSOFAR AS  
28 THEY ARE AFFECTED BY THE CONTINUED USE AND MAINTENANCE OF  
29 RENTAL HOUSING UNITS AND PREMISES.  
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## 1 SECTION 162-2. DEFINITIONS.

## 2 A. RULES OF INTERPRETATION.

3 (1) UNLESS OTHERWISE EXPRESSLY STATED, THE TERMS  
4 DEFINED IN SECTION B OF THIS CODE SHALL HAVE THE MEANINGS  
5 INDICATED FOR PURPOSES OF THIS CODE.

6 (2) WORDS USED IN THE PRESENT TENSE INCLUDE THE  
7 FUTURE. THE SINGULAR NUMBER INCLUDES THE PLURAL AND THE PLURAL  
8 THE SINGULAR.

9 (3) WHEN TERMS ARE NOT DEFINED, THROUGH THE  
10 METHODS AUTHORIZED BY THIS SECTION, THEY SHALL HAVE THEIR  
11 ORDINARILY ACCEPTED MEANINGS SUCH AS THE CONTEXT MAY IMPLY.

## 12 B. TERMS DEFINED.

13 (1) "ACT" MEANS ARTICLE ~~41//SECTION/287L+1/~~ 41B,  
14 SECTION 6-103, ANNOTATED CODE OF MARYLAND.

15 (2) "BASEMENT" MEANS THAT PORTION OF A STRUCTURE  
16 WHICH IS PARTLY OR COMPLETELY BELOW GRADE.

17 (3) "BUILDING CODE" MEANS THE BUILDING CODE  
18 ADOPTED BY HARFORD COUNTY, OR SUCH OTHER CODE(S) AS MAY BE  
19 DESIGNATED BY HARFORD COUNTY FOR THE REGULATION OF  
20 CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REMOVAL,  
21 DEMOLITION, USE, LOCATION, OCCUPANCY, OR MAINTENANCE OF  
22 PREMISES AND STRUCTURES.

23 (4) "CENTRAL HEATING" MEANS THE HEATING SYSTEM  
24 PERMANENTLY INSTALLED AND ADJUSTED SO AS TO PROVIDE THE  
25 DISTRIBUTION OF HEAT TO ALL HABITABLE AREAS FROM A SOURCE  
26 OUTSIDE OF THESE AREAS.

27 (5) "CODE" MEANS THE MINIMUM LIVABILITY CODE.

28 (6) "CODE OFFICIAL" MEANS THE OFFICIAL OR A DULY  
29 AUTHORIZED DESIGNEE OF THE COUNTY IN WHICH THE HOUSING IS  
30 LOCATED WHO IS AUTHORIZED TO ENFORCE THIS CODE.  
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1 (7) "CONDEMN" MEANS TO DECLARE A STRUCTURE OR  
2 PART OF IT, PREMISES, OR EQUIPMENT, UNSAFE OR UNFIT FOR USE AND  
3 OCCUPANCY.

4 (8) "COUNTY" MEANS HARFORD COUNTY.

5 (9) "DEPARTMENT" MEANS HARFORD COUNTY DEPARTMENT  
6 OF INSPECTIONS, LICENSES AND PERMITS.

7 (10) "EXTERMINATION" MEANS THE CONTROL AND  
8 ELIMINATION OF INSECTS, RODENTS, OR OTHER PESTS BY:

9 (a) ELIMINATING THEIR HARBORAGE PLACES;

10 (b) REMOVING OR MAKING INACCESSIBLE  
11 MATERIALS THAT MAY SERVE AS THEIR FOOD;

12 (c) POISON SPRAYING, FUMIGATING, TRAPPING,  
13 OR BY ANY OTHER PEST ELIMINATION METHODS WHICH HAVE RECEIVED  
14 ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

15 (11) "GARBAGE" MEANS THE ANIMAL AND VEGETABLE  
16 WASTE RESULTING FROM THE HANDLING, PREPARATION, COOKING, AND  
17 CONSUMPTION OF FOOD.

18 (12) "HABITABLE AREA" MEANS THE SPACE IN A  
19 STRUCTURE USED FOR LIVING, SLEEPING, EATING, OR COOKING,  
20 INCLUDING BATHROOMS AND TOILET COMPARTMENTS. CLOSETS, HALLS,  
21 STORAGE OR UTILITY SPACE, AND SIMILAR AREAS ARE NOT CONSIDERED  
22 HABITABLE AREAS.

23 (13) "HOUSING UNIT" MEANS A SINGLE UNIT OF A  
24 STRUCTURE PROVIDING OR INTENDED TO PROVIDE COMPLETE LIVING AND  
25 SLEEPING FACILITIES FOR ONE OR MORE PERSONS.

26 (14) "INFESTATION" MEANS THE PRESENCE, WITHIN OR  
27 CONTIGUOUS TO, A STRUCTURE OR PREMISES OF INSECTS, RODENTS,  
28 VERMIN, OR OTHER PESTS.

29 (15) "LEASE" MEANS A VERBAL OR WRITTEN AGREEMENT  
30 BETWEEN TENANT AND LANDLORD.

31 (16) "MAINTENANCE" MEANS THE REPAIR AND OTHER ACTS  
32 INTENDED TO PREVENT A DECLINE IN THE CONDITION OF A STRUCTURE,

PREMISES, OR EQUIPMENT BELOW THE STANDARDS ESTABLISHED BY THIS  
CODE AND OTHER APPLICABLE STATUTES, CODES, AND ORDINANCES.

(17) "OCCUPANT" MEANS AN INDIVIDUAL HAVING  
POSSESSION OF A SPACE WITHIN A HOUSING UNIT.

(18) "OPERATOR" MEANS A PERSON WHO HAS CHARGE,  
CARE, OR CONTROL OF A STRUCTURE OR PREMISES WHICH IS OFFERED  
FOR OCCUPANCY.

(19) "PERSON" INCLUDES AN INDIVIDUAL, PARTNERSHIP,  
LIMITED PARTNERSHIP, TRUST, ESTATE, ASSOCIATION, OR  
CORPORATION.

(20) "PLUMBING" MEANS THE PRACTICE, MATERIALS,  
FACILITIES, AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE,  
EXTENSION, OR ALTERATION OF ALL PIPING, FIXTURES, APPLIANCES,  
AND APPURTENANCES WITHIN THE SCOPE OF THE APPLICABLE PLUMBING  
CODE.

(21) "PLUMBING FIXTURE" MEANS A RECEPTACLE OR  
DEVICE WHICH:

(a) IS EITHER PERMANENTLY OR TEMPORARILY  
CONNECTED TO THE WATER DISTRIBUTION SYSTEM OF THE PREMISES AND  
DEMANDS A SUPPLY OF WATER FROM IT;

(b) DISCHARGES USED WATER, LIQUID-BORNE  
WASTE MATERIALS, OR SEWAGE EITHER DIRECTLY OR INDIRECTLY TO THE  
DRAINAGE SYSTEM OF THE PREMISES; OR

(c) REQUIRES BOTH A WATER SUPPLY CONNECTION  
AND A DISCHARGE TO THE DRAINAGE SYSTEM OF THE PREMISES.

(22) "PREMISES" MEANS A LOT, PLOT, OR PARCEL OF  
~~LAND//INCLUDING//THE//STRUCTURES//ON//IT/~~ LAND, INCLUDING THE  
STRUCTURES ON IT, THAT IS LEASED BY A TENANT.

(23) "PROPERTY OWNER" MEANS A PERSON HAVING A  
LEGAL OR EQUITABLE INTEREST IN THE PREMISES, INCLUDING THE  
GUARDIAN OF THE ESTATE OF THE PERSON, OR THE EXECUTOR OR

ADMINISTRATOR OF THE ESTATE OF THE PERSON IF ORDERED TO TAKE POSSESSION OF THE PREMISES BY A COURT.

(24) "REFUSE" MEANS ALL SOLID WASTES WITH THE EXCEPTION OF BODY WASTES.

(25) "RUBBISH" MEANS PAPER, RAGS, CARTONS, BOXES, WOODS, RUBBER, LEATHER, TREE BRANCHES, ACCUMULATED YARD TRIMMINGS, TIN CANS, METALS, MINERAL MATTER, GLASS, CROCKERY, ACCUMULATED DUST, AND OTHER SIMILAR MATERIALS AS WELL AS THE RESIDUE FROM THE BURNING OF WOOD, COAL, COKE, AND OTHER COMBUSTIBLE MATERIALS.

(26) "STRUCTURE" MEANS A RENTAL UNIT USED FOR HUMAN HABITATION.

(27) "TENANT" MEANS AN OCCUPANT OTHER THAN A PROPERTY OWNER.

(28) VENTILATION.

(a) "VENTILATION" MEANS THE PROCESS OF SUPPLYING AND REMOVING AIR BY NATURAL OR MECHANICAL MEANS TO OR FROM A SPACE.

(b) "MECHANICAL VENTILATION" MEANS VENTILATION BY POWER-DRIVEN DEVICES.

(c) "NATURAL VENTILATION" MEANS VENTILATION BY OPENING TO OUTER AIR THROUGH WINDOWS, SKYLIGHTS, DOORS, LOUVERS, OR STACKS WITHOUT POWER-DRIVEN DEVICES.

#### SECTION 162-3. APPLICATION.

A. THE MINIMUM LIVABILITY CODE SHALL APPLY TO STRUCTURES USED FOR HUMAN HABITATION EXCEPT:

(1) OWNER-OCCUPIED SINGLE FAMILY HOUSING UNITS;

(2) HOUSING EXEMPTED BY THE ~~DEPARTMENT/~~  
DEPARTMENT; AND

(3) STRUCTURES FOR WHICH THE TENANTS DO NOT PAY  
~~RENT/~~ RENT; AND

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1                   (4) A STRUCTURE OR HOUSING UNIT PROVIDED TO A  
2 TENANT BY THE TENANT'S EMPLOYER AS PART OF THE TENANT'S  
3 COMPENSATION.

4           B.     REPAIRS OR ALTERATIONS TO A STRUCTURE, OR CHANGES  
5 OF USE TO IT, WHICH MAY BE CAUSED DIRECTLY OR INDIRECTLY BY THE  
6 ENFORCEMENT OF THIS CODE, SHALL BE DONE IN ACCORDANCE WITH THE  
7 PROCEDURES AND PROVISIONS OF ANY APPLICABLE LOCAL BUILDING  
8 CODE, PLUMBING CODE, MECHANICAL CODE, AND ELECTRICAL CODE, OR  
9 OTHER CODE OR STANDARD APPLICABLE TO HOUSING.

10          C.     THE PROVISIONS IN THIS CODE DO NOT ABOLISH OR  
11 IMPAIR ANY REMEDIES AVAILABLE TO COUNTY OR ITS OFFICERS OR  
12 AGENCIES RELATING TO THE REMOVAL OR DEMOLITION OF ANY  
13 STRUCTURES WHICH ARE DEEMED TO BE DANGEROUS, UNSAFE AND  
14 UNSANITARY.

15          D.     REPAIRS, MAINTENANCE, ALTERATIONS OR INSTALLTIONS  
16 WHICH ARE REQUIRED FOR COMPLIANCE WITH THIS CODE SHALL BE  
17 EXECUTED AND INSTALLED IN ACCORDANCE WITH INDUSTRY STANDARDS SO  
18 AS TO SECURE THE RESULTS INTENDED BY THIS CODE.

19 SECTION 162-4. CODE ENFORCEMENT.

20          A.     LOCAL ENFORCEMENT. IT SHALL BE THE DUTY AND  
21 RESPONSIBILITY OF THE COUNTY TO ENFORCE THE PROVISIONS OF THIS  
22 CODE.

23          B.     LOCAL WAIVER.

24               (1) THE DEPARTMENT MAY WAIVE APPLICABILITY OF  
25 THIS CODE, IN WHOLE OR PART, TO A UNIT OF RENTAL HOUSING ON  
26 APPLICATION OF THE PROPERTY OWNER IF:

27                   (a) ADEQUATE NOTICE IN A FORM AND MANNER  
28 SPECIFIED BY THE COUNTY IS AFFORDED A TENANT OF THE UNIT;

29                   (b) THE TENANT IS AFFORDED AN OPPORTUNITY  
30 TO COMMENT ON THE APPLICATION EITHER IN WRITING OR IN PERSON;  
31 AND  
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1 (c) THE WAIVER WOULD NOT THREATEN THE  
2 HEALTH OR SAFETY OF A TENANT.

3 (2) IN REACHING A DETERMINATION ON AN APPLICATION  
4 FOR WAIVER, THE CODE OFFICIAL SHALL ISSUE A WRITTEN DECISION  
5 SPECIFYING THE REASONS FOR GRANTING OR DENYING THE WAIVER.  
6 BOTH THE PROPERTY OWNER AND THE TENANT SHALL HAVE THE RIGHT TO  
7 APPEAL THE WAIVER DECISION IN ACCORDANCE WITH THE RIGHTS AND  
8 PROCEDURES SET FORTH IN SECTION 162-9 OF THIS CODE.

9 ~~(d)~~ (3) A WAIVER MAY BE GRANTED BY THE CODE  
10 OFFICIAL AND MAY CONTINUE IN FULL FORCE AND EFFECT BEYOND THE  
11 TERM OF THE LEASE OF THE CURRENT TENANT. ANY PROSPECTIVE  
12 TENANT SHALL BE NOTIFIED, UPON APPLICATION FOR A LEASE FOR THIS  
13 UNIT OF RENTAL HOUSING, THAT THIS UNIT HAS BEEN GRANTED A  
14 WAIVER FROM A PROVISION(S) OF THIS CODE AND THAT HIS OR HER  
15 OCCUPANCY WILL BE SUBJECT TO THAT WAIVER.

16 THE PROSPECTIVE TENANT SHALL HAVE THE  
17 RIGHT TO REQUEST THE COUNTY TO REVIEW THE WAIVER.

18 THE COUNTY RESERVES THE RIGHT TO REVIEW  
19 THE WAIVER AT ANYTIME.

20 ~~(z)~~ (4) THE DEPARTMENT MAY WAIVE APPLICABILITY  
21 OF THIS CODE IF THE WAIVER IS GRANTED ON THE BASIS OF THE  
22 RELIGIOUS PRACTICES OF THE OCCUPANT OF THE UNIT OF RENTAL  
23 HOUSING.

24 C. DEPARTMENTAL AUTHORITY. THE DIRECTOR OF THE  
25 DEPARTMENT OR DESIGNEE SHALL DECIDE QUESTIONS OF INTERPRETATION  
26 OF THIS CODE.

27 D. DISPLACEMENT. A PERSON MAY NOT BE DISPLACED BY  
28 ENFORCEMENT OF THIS CODE UNLESS ALTERNATE HOUSING OF COMPARABLE  
29 AFFORDABILITY IS AVAILABLE WITHIN THE COUNTY EXCEPT WHERE THERE  
30 IS AN IMMINENT THREAT TO HEALTH AND SAFETY DUE TO UNSAFE  
31 CONDITIONS.  
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1 E. STATE LAWS. ENFORCEMENT AND WAIVER APPLICATION ARE  
2 NOT INTENDED TO SUPERSEDE ANY STATE LAWS, SUCH AS, BUT NOT  
3 LIMITED TO THE FOLLOWING:

4 (1) ARTICLE 38A, ENTITLED, "FIRES AND  
5 INVESTIGATIONS."

6 (2) ARTICLE 89, SECTION 64, ENTITLED, "PUBLIC  
7 ELEVATORS".

8 (3) ARTICLE 48, SECTION 167 ET SEQ., ENTITLED,  
9 "BOILER AND PRESSURE VESSEL SAFETY ACT."

10 F. THE DEPARTMENT SHALL REVIEW A WAIVER GRANTED UNDER  
11 THIS SECTION WITHIN THREE (3) YEARS AFTER THE WAIVER IS  
12 GRANTED, AND AT LEAST EVERY THREE (3) YEARS THEREAFTER.

13 SECTION 162-5. DUTIES AND POWERS OF CODE OFFICIAL.

14 A. GENERAL. THE COUNTY SHALL DESIGNATE A CODE  
15 OFFICIAL. THE CODE OFFICIAL OR DESIGNEE SHALL ENFORCE THE  
16 PROVISIONS OF THIS CODE.

17 B. NOTICES AND ORDERS. THE CODE OFFICIAL SHALL ISSUE  
18 ALL NOTICES AND ORDERS NECESSARY TO INSURE COMPLIANCE WITH THIS  
19 CODE.

20 C. RIGHT OF ENTRY. IF A PROPERTY OWNER, TENANT OR  
21 OPERATOR OF A STRUCTURE REFUSES, IMPEDES, INHIBITS, INTERFERES  
22 WITH, RESTRICTS, OR OBSTRUCTS ENTRY AND FREE ACCESS TO ANY PART  
23 OF THE STRUCTURE OR PREMISES WHERE INSPECTION AUTHORIZED BY  
24 THIS CODE IS SOUGHT, THE CODE OFFICIAL OR DESIGNEE MAY SEEK, IN  
25 A COURT OF COMPETENT JURISDICTION, AN ORDER THAT THE PROPERTY  
26 OWNER, TENANT, OR OPERATOR CEASE AND DESIST FROM THE  
27 INTERFERENCE.

28 D. INSPECTIONS. THE CODE OFFICIAL OR DESIGNEE IS  
29 AUTHORIZED TO ENTER A STRUCTURE OR PREMISES AT ANY REASONABLE  
30 TIME UPON PROVIDING PRIOR NOTICE TO THE PROPERTY OWNER AND  
31 TENANT, FOR THE PURPOSE OF MAKING INSPECTIONS AND PERFORMING  
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1 DUTIES UNDER THIS CODE, SUCH AS BUT NOT LIMITED TO INSTANCES  
2 WHERE THERE IS AN IMMINENT THREAT TO HEALTH AND SAFETY DUE TO  
3 UNSAFE CONDITIONS.

4 E. ALTERATIONS AND REPAIRS.

5 (1) THE CODE OFFICIAL OR DESIGNEE SHALL HAVE THE  
6 AUTHORITY TO REQUIRE AND APPROVE ANY ALTERATIONS OR REPAIRS  
7 NECESSARY TO BRING A STRUCTURE OR PREMISES INTO COMPLIANCE WITH  
8 THIS CODE. THE DETERMINATION OF WHAT MAY BE NECESSARY TO BRING  
9 THE PREMISES INTO COMPLIANCE SHALL TAKE INTO CONSIDERATION THE  
10 USE OF ALTERNATIVES AND EQUIVALENT APPROACHES AS PROVIDED FOR  
11 IN THIS CODE.

12 (2) THE CODE OFFICIAL OR DESIGNEE SHALL HAVE THE  
13 AUTHORITY TO APPROVE, UPON THE REQUEST OF THE PROPERTY OWNER,  
14 CHANGES IN ALTERATIONS OR REPAIRS IN THE FIELD WHEN CONDITIONS  
15 ARE ENCOUNTERED WHICH MAKE THE ORIGINALLY APPROVED WORK  
16 IMPRACTICAL, IF THE CHANGES IN APPROVED WORK CAN BE READILY  
17 DETERMINED TO BE IN COMPLIANCE WITH THIS CODE.

18 (3) THE CHANGES SHALL BE SPECIFICALLY DOCUMENTED  
19 BY THE PROPERTY OWNER OR BY HIS OR HER AGENT OR CODE OFFICIAL,  
20 DESCRIBING THE CHANGE IN WORK AND THE REASONS AND JUSTIFICATION  
21 FOR THE CHANGE, AND SHALL BE FILED WITH THE PERMIT FOR THE  
22 PROJECT.

23 F. ACCESS BY PROPERTY OWNER OR OPERATOR. A TENANT OF  
24 A STRUCTURE OR PREMISES SHALL GIVE THE PROPERTY OWNER OR  
25 OPERATOR, OR AGENT OR EMPLOYEE, ACCESS TO ANY PART OF THE  
26 STRUCTURE OR ITS PREMISES AT REASONABLE TIMES UPON BEING GIVEN  
27 REASONABLE NOTICE FOR THE PURPOSE OF MAKING THE INSPECTION,  
28 MAINTENANCE, REPAIRS, OR ALTERATIONS AS ARE NECESSARY TO COMPLY  
29 WITH THE PROVISIONS OF THIS CODE.

30 G. IDENTIFICATION. THE CODE OFFICIAL SHALL DISCLOSE  
31 HIS OR HER IDENTIFICATION FOR THE PURPOSE OF INSPECTING A  
32 STRUCTURE OR PREMISES.

## H. COORDINATION OF ENFORCEMENT.

(1) THE INSPECTION OF STRUCTURES AND PREMISES, THE ISSUANCE OF NOTICES AND ORDERS, AND ENFORCEMENT OF THEM SHALL BE THE RESPONSIBILITY OF THE CODE OFFICIAL.

(2) WHENEVER, IN THE OPINION OF THE CODE OFFICIAL INITIATING AN INSPECTION UNDER THIS CODE, IT IS DEEMED NECESSARY OR DESIRABLE TO HAVE INSPECTIONS BY ANY OTHER GOVERNMENTAL OFFICIAL OR AGENCY, THE CODE OFFICIAL SHALL MAKE A REASONABLE EFFORT TO ARRANGE FOR THE COORDINATION OF THE INSPECTIONS SO AS TO MINIMIZE THE NUMBER OF VISITS BY INSPECTORS.

(3) THE CODE OFFICIAL SHALL CONFER WITH THE OTHER GOVERNMENTAL OFFICIAL OR AGENCY FOR THE PURPOSE OF ELIMINATING CONFLICTING ORDERS BEFORE ANY ARE ISSUED.

(4) THE CODE OFFICIAL MAY NOT, HOWEVER, CAUSE THE DELAY OF THE ISSUANCE OF ANY EMERGENCY ORDERS BY A GOVERNMENTAL OFFICIAL OR AGENCY WHICH THE GOVERNMENTAL OFFICIAL OR AGENCY DETERMINES MUST BE ISSUED.

I. RULE MAKING AUTHORITY. THE DIRECTOR OF THE DEPARTMENT SHALL HAVE POWER TO ADOPT AND PROMULGATE RULES AND REGULATIONS TO INTERPRET AND IMPLEMENT THE PROVISIONS OF THE CODE TO FURTHER ITS INTENT. RULES AND REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL TAKE EFFECT AND BE ENFORCEABLE ONLY AFTER THEY HAVE BEEN APPROVED BY RESOLUTION OF THE COUNTY COUNCIL.

## SECTION 162-6. CONDEMNATION.

## A. GENERAL.

(1) WHEN A STRUCTURE OR PART OF IT IS FOUND BY THE CODE OFFICIAL TO BE UNSAFE OR UNFIT FOR HUMAN OCCUPANCY OR USE, THE CODE OFFICIAL MAY ~~CONDEMN~~ RECOMMEND TO THE DIRECTOR OF THE DEPARTMENT THAT THE STRUCTURE OR PART OF IT ~~AND/MAY/ORDER~~

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1 BE CONDEMNED. AFTER FURTHER INSPECTION OF THE STRUCTURE BY THE  
2 DEPARTMENT, THE DIRECTOR MAY ORDER THE STRUCTURE OR PART OF IT  
3 TO BE PLACARDED AND VACATED PURSUANT TO THE PROVISIONS OF THIS  
4 CODE.

5 (2) THE STRUCTURE OR PART OF IT MAY NOT BE  
6 REOCCUPIED WITHOUT APPROVAL OF THE CODE OFFICIAL.

7 (3) UNSAFE EQUIPMENT MAY BE CONDEMNED, PLACARDED,  
8 AND PLACED OUT OF SERVICE PURSUANT TO THE PROVISIONS OF THIS  
9 CODE.

10 B. UNSAFE STRUCTURE. AN UNSAFE STRUCTURE IS ONE IN  
11 WHICH ALL OR PART OF IT IS FOUND BY THE CODE OFFICIAL TO BE  
12 DANGEROUS TO LIFE, HEALTH, PROPERTY, OR THE SAFETY OF ITS  
13 TENANTS BY NOT PROVIDING MINIMUM PROTECTION FROM FIRE OR  
14 BECAUSE IT IS SO DAMAGED, DECAYED, DILAPIDATED, STRUCTURALLY  
15 UNSAFE, OR OF SUCH FAULTY CONSTRUCTION OR UNSTABLE FOUNDATION  
16 THAT IT IS LIKELY TO PARTIALLY OR COMPLETELY COLLAPSE.

17 C. UNSAFE EQUIPMENT.

18 (1) UNSAFE EQUIPMENT INCLUDES ANY BOILER, HEATING  
19 EQUIPMENT, COOKING EQUIPMENT, ELEVATOR, MOVING STAIRWAY,  
20 ELECTRICAL WIRING OR DEVICE, FLAMMABLE LIQUID CONTAINERS, OR  
21 OTHER EQUIPMENT ON THE PREMISES OR WITHIN THE STRUCTURE WHICH  
22 IS IN SUCH DISREPAIR OR CONDITION, THAT IT IS FOUND BY THE CODE  
23 OFFICIAL TO BE HAZARDOUS TO THE LIFE, HEALTH, PROPERTY, OR  
24 SAFETY OF THE TENANTS OF THE PREMISES OR STRUCTURE.

25 (2) UNSAFE EQUIPMENT MAY CONTRIBUTE TO THE  
26 FINDING THAT THE STRUCTURE IS UNSAFE OR UNFIT FOR HUMAN  
27 OCCUPANCY OR USE.

28 D. STRUCTURE UNFIT FOR HUMAN OCCUPANCY. A STRUCTURE  
29 IS UNFIT FOR HUMAN OCCUPANCY OR USE WHENEVER THE CODE OFFICIAL  
30 FINDS THAT IT IS UNSANITARY, VERMIN OR RODENT INFESTED,  
31 CONTAINS FILTH OR CONTAMINATION, OR LACKS VENTILATION,  
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1 ILLUMINATION, SANITARY OR HEATING FACILITIES, OR OTHER  
2 ESSENTIAL EQUIPMENT REQUIRED BY THIS CODE.

3 E. CLOSING OF CONDEMNED STRUCTURES. UPON FAILURE OF A  
4 PROPERTY OWNER TO CLOSE OR VACATE A PREMISES WITHIN THE TIME  
5 SPECIFIED IN AN ORDER, THE CODE OFFICIAL MAY CAUSE THE PREMISES  
6 TO BE CLOSED THROUGH ANY AVAILABLE PUBLIC AGENCY OR BY CONTRACT  
7 OR ARRANGEMENT WITH PRIVATE PERSONS AND THE COST SHALL BE  
8 CHARGED AGAINST THE REAL PROPERTY WHICH THE STRUCTURE IS  
9 LOCATED AND SHALL BE A LIEN UPON THE REAL PROPERTY.

10 SECTION 162-7. NOTICES AND ORDERS.

11 A. GENERAL.

12 (1) WHENEVER THE CODE OFFICIAL DETERMINES THAT  
13 THERE ~~HAS/BEEN~~ IS A VIOLATION OF THIS CODE OR HAS REASONABLE  
14 GROUNDS TO BELIEVE THAT A VIOLATION ~~HAS/OCCURRED~~ IS OCCURRING,  
15 OR WHENEVER THE CODE OFFICIAL HAS DETERMINED TO CONDEMN A  
16 STRUCTURE, OR PART OF IT, OR EQUIPMENT IN ACCORDANCE WITH THIS  
17 CODE, NOTICE SHALL BE GIVEN TO THE PROPERTY OWNER AND TO THE  
18 TENANT IN THE MANNER PRESCRIBED IN THIS CODE.

19 (2) IF THE CODE OFFICIAL HAS CONDEMNED THE  
20 STRUCTURE, OR PART OF IT, OR EQUIPMENT, THE CODE OFFICIAL SHALL  
21 SERVE PRIOR NOTICE TO THE PROPERTY OWNER AND TO THE TENANTS OF  
22 THE INTENT TO:

23 (a) ORDER THE STRUCTURE OR PART OF IT  
24 PLACARDED OR VACATED; OR

25 (b) ORDER THE EQUIPMENT PLACED OUT OF  
26 SERVICE.

27 B. SERVICE OF NOTICE.

28 (1) NOTICE SHALL BE DEEMED TO BE PROPERLY SERVED  
29 UPON A PROPERTY OWNER OR TENANT BY ONE OF THE FOLLOWING  
30 METHODS:  
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1 (a) BY DELIVERING TO THE PERSON TO BE  
2 SERVED OR HIS OR HER AGENT A COPY OF THE NOTICE AND ALL OTHER  
3 NECESSARY PAPERS; OR

4 (b) BY MAILING TO THE PERSON TO BE SERVED  
5 AT HIS OR HER LAST KNOWN ADDRESS OR TO HIS OR HER AGENT BY  
6 FIRST CLASS AND CERTIFIED OR REGISTERED MAIL WITH RETURN  
7 RECEIPT REQUESTED A COPY OF THE NOTICE AND ALL OTHER NECESSARY  
8 PAPERS.

9 (2) IF THE CERTIFIED OR REGISTERED LETTER IS  
10 RETURNED WITH RECEIPT SHOWING THAT IT HAS NOT BEEN DELIVERED,  
11 NOTICE SHALL BE SERVED BY POSTING A COPY OF IT IN A CONSPICUOUS  
12 PLACE IN OR ABOUT THE STRUCTURE AFFECTED BY THE NOTICE.

13 C. NOTICE TO VACATE. WHEN A CONDEMNATION ORDER IS  
14 SERVED ON A TENANT, THE TENANT SHALL BE GIVEN REASONABLE TIME  
15 TO VACATE THE STRUCTURE EXCEPT WHERE THERE IS AN IMMINENT  
16 THREAT TO HEALTH AND SAFETY DUE TO UNSAFE CONDITIONS, THEN THE  
17 OCCUPANTS OF THE BUILDING WILL BE REQUIRED TO VACATE  
18 IMMEDIATELY.

19 D. TRANSFER OF OWNERSHIP. A PROPERTY OWNER WHO HAS  
20 RECEIVED A COMPLIANCE ORDER OR UPON WHOM A NOTICE OF VIOLATION  
21 HAS BEEN SERVED MAY NOT SELL, TRANSFER, MORTGAGE, LEASE, OR  
22 OTHERWISE DISPOSE OF THE PREMISES UNTIL:

23 (1) THE PROVISIONS OF THE COMPLIANCE ORDER OR  
24 NOTICE OF VIOLATION HAVE BEEN COMPLIED WITH; OR

25 (2) THE PROPERTY OWNER SHALL FIRST FURNISH THE  
26 GRANTEE, TRANSFEREE, MORTGAGEE, OR LESSEE A TRUE COPY OF THE  
27 COMPLIANCE ORDER OR NOTICE OF VIOLATION ISSUED BY THE CODE  
28 OFFICIAL, AND SHALL FURNISH TO THE CODE OFFICIAL A SIGNED AND  
29 NOTARIZED STATEMENT FROM THE GRANTEE, TRANSFEREE, MORTGAGEE, OR  
30 LESSEE, IN WHICH HE OR SHE ACKNOWLEDGES THE RECEIPT OF THE  
31 COMPLIANCE ORDER OR NOTICE OF VIOLATION AND STATES THAT HE OR  
32

AS AMENDED

1 SHE FULLY ACCEPTS AND ASSUMES THE RESPONSIBILITY WITHOUT  
2 CONDITION FOR MAKING THE CORRECTIONS OR REPAIRS REQUIRED BY THE  
3 COMPLIANCE ORDER OR NOTICE OF VIOLATION.

4 E. REMOVAL OF PLACARD. NO INDIVIDUAL MAY DEFACE OR  
5 REMOVE A CONDEMNATION PLACARD WITHOUT THE APPROVAL OF THE CODE  
6 OFFICIAL.

7 SECTION 162-8. VIOLATIONS.

8 A. CRIMINAL PENALTY. A PROPERTY OWNER WHO WILLFULLY  
9 VIOLATES ANY PROVISION OF THIS CODE IS GUILTY OF A MISDEMEANOR  
10 AND ON CONVICTION FOR EACH VIOLATION IS SUBJECT TO A FINE NOT  
11 EXCEEDING \$500 FOR EACH DAY THAT THE VIOLATIONS EXISTS OR  
12 IMPRISONMENT NOT EXCEEDING 90 DAYS, OR BOTH

13 B. CIVIL PENALTY. A PROPERTY OWNER OR TENANT WHO  
14 VIOLATES ANY PROVISION OF THE CODE MAY BE SUBJECT TO A FINE NOT  
15 EXCEEDING \$50.00 BY THE DISTRICT COURT. EACH DAY THE VIOLATION  
16 EXISTS AFTER NOTIFICATION CONSTITUTES A SEPARATE OFFENSE.

17 C. OTHER PENALTIES. A PENALTY ORDERED UNDER THIS CODE  
18 IS IN ADDITION TO AND IS NOT A SUBSTITUTE FOR ANY OTHER PENALTY  
19 AUTHORIZED BY FEDERAL, STATE, OR LOCAL LAW.

20 SECTION 162-9. RIGHT TO APPEAL.

21 A PERSON AFFECTED BY A DECISION OF THE CODE  
22 OFFICIAL WHICH HAS BEEN MADE IN CONNECTION WITH THE ENFORCEMENT  
23 OF ANY PROVISION OF THIS CODE, OR OF A REGULATION ADOPTED  
24 PURSUANT TO THIS CODE, MAY REQUEST ~~AND/MAY/BE/GRANTED~~ A HEARING  
25 IN ACCORDANCE WITH SECTION R-2.4 ENTITLED, "APPEALS FROM AGENCY  
26 ACTIONS," AS SET FORTH IN THE HARFORD COUNTY ADMINISTRATIVE  
27 RULES OF PROCEDURE FOR REGULATIONS AND HEARINGS.

28 SECTION 162-10. ENVIRONMENTAL REQUIREMENTS.

29 A. SCOPE. THE PROVISIONS OF THIS CODE SHALL ESTABLISH  
30 THE MINIMUM STANDARDS FOR MAINTENANCE OF PREMISES AND  
31 STRUCTURES.

32

## B. PREMISES CONDITIONS.

(1) SANITATION. THE PREMISES SHALL BE MAINTAINED IN A CLEAN, SAFE, AND SANITARY CONDITION FREE FROM ANY ACCUMULATION OF RUBBISH OR GARBAGE.

(2) INSECT AND RODENT CONTROL. THE PREMISES SHALL BE FREE FROM INFESTATION OF INSECTS, RODENTS, VERMIN, OR OTHER PESTS.

## C. EXTERIOR STRUCTURE.

(1) GENERAL. THE EXTERIOR OF A STRUCTURE SHALL BE MAINTAINED IN GOOD REPAIR, AND SHALL BE STRUCTURALLY SOUND AND MAINTAINED IN A SANITARY CONDITION SO AS NOT TO POSE A THREAT TO THE HEALTH, SAFETY, OR WELFARE OF THE OCCUPANTS.

(2) STRUCTURAL MEMBERS. SUPPORTING COMPONENTS OF A STRUCTURE SHALL BE KEPT SOUND//~~WELL~~/MAINTAINED/ AND CAPABLE OF SAFELY BEARING THE DEAD AND LIVE LOADS IMPOSED UPON THEM.

(3) EXTERIOR SURFACES. EACH FOUNDATION, EXTERIOR WALL, ROOF, AND ALL OTHER EXTERIOR SURFACES SHALL BE MAINTAINED IN GOOD REPAIR AND SHALL BE KEPT IN SUCH CONDITION SO AS TO EXCLUDE RODENTS AND OTHER PESTS.

(4) FOUNDATION WALLS. FOUNDATION WALLS SHALL BE STRUCTURALLY SOUND AND SHALL BE MAINTAINED FREE FROM OPEN CRACKS AND BREAKS THAT WOULD BE HAZARDOUS OR UNSAFE.

## (5) EXTERIOR WALLS.

(a) EACH EXTERIOR WALL SHALL BE FREE OF HOLES, BREAKS, LOOSE OR ROTTING BOARDS OR TIMBERS, AND ANY OTHER CONDITIONS WHICH ADMIT ELEMENTS OR DAMPNES TO THE INTERIOR PORTIONS OF THE WALLS OR TO THE OCCUPIED AREAS OF THE STRUCTURE.

(b) ALL EXTERIOR SURFACE MATERIALS SHALL BE MAINTAINED WEATHER-PROOF TO PREVENT DETERIORATION.

1 (6) ROOFS AND DRAINAGE. THE ROOF SHALL BE  
2 STRUCTURALLY SOUND, AND MAY NOT HAVE DEFECTS WHICH ADMIT  
3 ELEMENTS. ROOF DRAINAGE SHALL BE ADEQUATE TO PREVENT RAINWATER  
4 FROM CAUSING DAMPNES OR DETERIORATION IN THE WALLS OR INTERIOR  
5 PORTION OF THE STRUCTURE.

6 (7) DECORATIVE FEATURES. ALL CORNICES,  
7 ENTABLATURES, BELT COURSES, CORBELS, TERRA COTTA TRIM, WALL  
8 FACINGS, AND SIMILAR DECORATIVE FEATURES SHALL BE MAINTAINED IN  
9 GOOD REPAIR WITH PROPER ANCHORAGE AND IN A SAFE CONDITION OR  
10 REMOVED AT THE PROPERTY OWNER'S OPTION.

11 (8) SIGNS, MARQUEES, AND AWNINGS. ALL CANOPIES,  
12 MARQUEES, SIGNS, METAL AWNINGS, STAIRWAYS, FIRE ESCAPES,  
13 STANDPIPES, EXHAUST DUCTS, AND SIMILAR OVERHANG EXTENSIONS  
14 SHALL BE MAINTAINED IN GOOD REPAIR, BE PROPERLY ANCHORED, AND  
15 KEPT IN A SAFE AND SOUND CONDITION. THEY SHALL BE PROTECTED  
16 FROM THE ELEMENTS AND AGAINST DECAY AND RUST BY THE PERIODIC  
17 APPLICATION OF A WEATHER-COATING MATERIAL SUCH AS PAINT OR  
18 OTHER PROTECTIVE TREATMENT.

19 (9) CHIMNEYS.

20 (A) ALL CHIMNEYS, COOLING TOWERS,  
21 SMOKESTACKS, AND SIMILAR APPURTENANCES SHALL BE MAINTAINED  
22 STRUCTURALLY SOUND, SAFE, AND IN GOOD REPAIR.

23 (B) ALL EXPOSED SURFACES OF METAL OR WOOD  
24 SHALL BE PROTECTED FROM THE ELEMENTS AND AGAINST DECAY OR RUST  
25 ~~BY//PERIODIC//APPLICATION//OF//WEATHER//COATING//MATERIALS//SUCH//AS~~  
26 ~~PAINT//OR//SIMILAR//SURFACE//TREATMENT.~~

27 (10) STAIRS AND PORCHES. EACH EXTERIOR STAIR,  
28 PORCH, FIRE ESCAPE, BALCONY, AND ALL APPURTENANCES ATTACHED TO  
29 THEM SHALL BE SAFE TO USE AND CAPABLE OF SUPPORTING THE  
30 ANTICIPATED LOADS AND SHALL BE MAINTAINED IN A SAFE AND SOUND  
31 CONDITION AND GOOD REPAIR.

AS AMENDED

1 (11) WINDOWS, DOORS AND FRAMES. EACH WINDOW,  
2 DOOR, AND FRAME SHALL BE MAINTAINED SO AS TO EXCLUDE RAIN AND  
3 RODENTS AS COMPLETELY AS POSSIBLE, AND TO SUBSTANTIALLY EXCLUDE  
4 WIND FROM ENTERING THE STRUCTURE.

5 (12) WEATHERTIGHT. EACH WINDOW AND EXTERIOR DOOR  
6 SHALL BE FITTED REASONABLY IN ITS FRAME AND BE WEATHERTIGHT.  
7 EACH WINDOW SHALL BE FREE OF CRACKS AND HOLES.

8 (13) OPENABLE WINDOWS. EACH WINDOW, OTHER THAN A  
9 FIXED WINDOW, SHALL BE CAPABLE OF BEING EASILY OPENED FROM THE  
10 INSIDE AND SHALL BE CAPABLE OF BEING HELD IN POSITION ~~AND HAVE~~  
11 ~~PROPER LOCKING APPARATUS.~~

12 (14) INSECT SCREENS.

13 (a) DURING THE PERIOD FROM APRIL 1 TO  
14 DECEMBER 1, EVERY DOOR AND WINDOW OR OTHER OUTSIDE OPENING USED  
15 FOR VENTILATION PURPOSES SHALL BE SUPPLIED WITH TIGHT-FITTING  
16 INSECT SCREENS.

17 (b) EXCEPTION. UPON THE PRIOR APPROVAL OF  
18 THE CODE OFFICIAL, SCREENS MAY NOT BE REQUIRED FOR EXTERIOR  
19 DOORS OR OTHER TYPES OF OPENINGS WHICH MAKE SCREENING  
20 IMPRACTICAL, SUCH AS OPENINGS EQUIPPED WITH AIR CONDITIONING  
21 UNITS OR OPENINGS ABOVE THE FOURTH FLOOR. THE CODE OFFICIAL  
22 MAY REQUIRE ALTERNATIVES TO SCREENS.

23 (15) DOOR HARDWARE. EACH EXTERIOR DOOR AND ITS  
24 HARDWARE SHALL BE MAINTAINED IN GOOD CONDITION. DOOR LOCKS ON  
25 ALL INTERIOR AND EXTERIOR DOORS ENTERING HOUSING UNITS SHALL BE  
26 IN GOOD REPAIR AND CAPABLE OF TIGHTLY SECURING THE DOOR.

27 D. INTERIOR STRUCTURE.

28 (1) GENERAL. THE INTERIOR OF A STRUCTURE AND ITS  
29 EQUIPMENT AND FACILITIES SHALL BE MAINTAINED IN GOOD REPAIR,  
30 STRUCTURALLY SOUND, AND IN A SANITARY CONDITION SO AS NOT TO  
31 POSE A THREAT TO THE HEALTH, SAFETY, OR WELFARE OF THE  
32 OCCUPANTS.

AS AMENDED

AS AMENDED

1 (2) STRUCTURAL MEMBERS. SUPPORTING COMPONENTS OF  
2 A STRUCTURE SHALL BE SOUND, WELL MAINTAINED, AND CAPABLE OF  
3 SAFELY CARRYING THE IMPOSED LOADS.

4 (3) INTERIOR SURFACES. FLOORS, WALLS (INCLUDING  
5 WINDOWS AND DOORS), CEILINGS, AND OTHER INTERIOR SURFACES SHALL  
6 BE MAINTAINED IN GOOD REPAIR AND IN A CLEAN, SAFE, AND SANITARY  
7 CONDITION.

8 (4) BATHROOM AND KITCHEN FLOORS. EACH TOILET,  
9 BATHROOM, AND KITCHEN FLOOR SURFACE SHALL BE MAINTAINED SO AS  
10 TO BE SUBSTANTIALLY IMPERVIOUS TO WATER TO PERMIT THE FLOOR TO  
11 BE EASILY KEPT IN A CLEAN AND SANITARY CONDITION.

12 (5) SANITATION.

13 (a) THE INTERIOR OF A STRUCTURE SHALL BE  
14 MAINTAINED IN A CLEAN AND SANITARY CONDITION FREE FROM ANY  
15 ACCUMULATION OF RUBBISH OR GARBAGE.

16 ~~RUBBISH OR GARBAGE SHALL BE PROPERLY~~  
17 ~~KEPT INSIDE SEALED ANIMAL-PROOF CONTAINERS.~~

18 (b) REFUSE SHALL BE STORED IN ACCORDANCE  
19 WITH CHAPTER 109, SECTION 109-3, OF THE HARFORD COUNTY CODE, AS  
20 AMENDED.

21 (c) GARBAGE OR RUBBISH MAY NOT BE ALLOWED  
22 TO ACCUMULATE OR BE STORED IN PUBLIC HALLS OR STAIRWAYS.

23 (6) INSECT AND RODENT HARBORAGE.

24 (a) A STRUCTURE SHALL BE KEPT FREE FROM  
25 INFESTATION, AND WHERE INFESTATION IS FOUND, THE AREA SHALL BE  
26 PROMPTLY EXTERMINATED BY PROCESSES WHICH ARE NOT INJURIOUS TO  
27 HUMAN HEALTH.

28 (b) CONTINUING OR REPEATED INCIDENTS OF  
29 INFESTATION, AS DETERMINED BY THE CODE OFFICIAL, SHALL REQUIRE  
30 THE INSTALLATION OF RODENT AND VERMIN-PROOF WALLS. THE RODENT  
31 AND VERMIN-PROOF WALLS SHALL BE INSTALLED IN ACCORDANCE WITH  
32 THE APPLICABLE LOCAL BUILDING CODE.

AS AMENDED

1 (7) EXIT DOORS. EACH DOOR AVAILABLE AS AN EXIT  
2 SHALL BE CAPABLE OF BEING OPENED EASILY FROM THE INSIDE.

3 (8) EXIT FACILITIES.

4 (a) ALL INTERIOR STAIRS AND RAILINGS AND  
5 OTHER EXIT FACILITIES OF A STRUCTURE SHALL BE MAINTAINED IN  
6 SOUND CONDITION AND GOOD REPAIR.

7 (b) EACH INTERIOR STAIR USED FOR EXIT SHALL  
8 BE MAINTAINED SO AS TO BE SAFE TO USE AND CAPABLE OF SUPPORTING  
9 THE ANTICIPATED LOADS.

10 (9) LEAD PAINT ABATEMENT. LEAD PAINT ABATEMENT  
11 PROCEDURES APPROVED BY THE DEPARTMENT OF HEALTH SHALL BE  
12 PERFORMED BY THE PROPERTY OWNER ON:

13 (a) SURFACES, INCLUDING BUT NOT LIMITED TO  
14 CEILINGS, DOORS, RADIATORS, STAIR BANISTERS, TRIM MOLDING,  
15 WALLS, AND WINDOW FRAMES, THAT ARE IN A DETERIORATED CONDITION  
16 THAT THEY PRESENT A POTENTIAL HEALTH HAZARD DUE TO LEAD PAINT;  
17 AND

18 (b) SURFACES, INCLUDING BUT NOT LIMITED TO  
19 DOORS, RADIATORS, STAIR BANISTERS, TRIM MOLDING, AND WINDOW  
20 FRAMES, THAT ARE COVERED WITH LEAD PAINT AND PRESENT A  
21 POTENTIAL BITING SURFACE.

22 SECTION 162-11. LIGHT AND VENTILATION REQUIREMENTS.

23 A. GENERAL.

24 (1) SCOPE. THE PROVISIONS OF THIS CODE SHALL  
25 GOVERN THE MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES  
26 USED FOR LIGHT AND VENTILATION OF A STRUCTURE.

27 (2) ALTERNATIVE METHODS AND DEVICES. IN PLACE OF  
28 THE MEANS FOR NATURAL LIGHT AND VENTILATION PRESCRIBED IN THIS  
29 CODE, ALTERNATIVE ARRANGEMENT OF WINDOWS, LOUVERS, OR OTHER  
30 DEVICES OR METHODS THAT WILL PROVIDE THE EQUIVALENT MINIMUM  
31 PERFORMANCE REQUIREMENTS SHALL BE PERMITTED IN ORDER TO COMPLY  
32 WITH THE APPLICABLE LOCAL BUILDING CODE.

## B. LIGHT.

AS AMENDED

(1) GENERAL. ALL AREAS IN A STRUCTURE SHALL BE PROVIDED SUFFICIENT LIGHT SO AS NOT TO ENDANGER HEALTH AND SAFETY. ALL AREAS IN A STRUCTURE SHALL BE PROVIDED WITH NATURAL LIGHT OR EQUIPMENT TO ACCOMMODATE ARTIFICIAL LIGHT OF SUFFICIENT INTENSITY AND DISTRIBUTED SO AS TO PERMIT THE MAINTENANCE OF SANITARY CONDITIONS AND THE SAFE USE OF THE AREA AND THE APPLIANCES, EQUIPMENT, AND FIXTURES.

(2) COMMON HALLS AND STAIRWAYS. EACH COMMON HALL AND STAIRWAY IN A STRUCTURE, OTHER THAN ONE AND TWO-FAMILY STRUCTURES SHALL BE ADEQUATELY LIGHTED AT ALL TIMES WITH AN ILLUMINATION EQUIVALENT TO THE FOOTCANDLES PROVIDED BY AT LEAST A 60 WATT STANDARD INCANDESCENT LIGHT BULB FOR EACH 200 SQUARE FEET OF FLOOR AREA, PROVIDED THAT THE SPACING BETWEEN LIGHTS MAY NOT BE GREATER THAN 30 FEET. EACH EXTERIOR STAIRWAY SHALL BE ILLUMINATED.

## C. VENTILATION.

(1) GENERAL. ALL AREAS IN A STRUCTURE SHALL BE PROVIDED SUFFICIENT VENTILATION SO AS NOT TO ENDANGER HEALTH AND SAFETY.

## (2) MECHANICAL VENTILATION.

(a) WHEN MECHANICAL VENTILATION IS PROVIDED INSTEAD OF NATURAL VENTILATION, THE MECHANICAL VENTILATING SYSTEM SHALL BE MAINTAINED IN GOOD OPERATING CONDITION DURING THE OCCUPANCY OF THE STRUCTURE OR PORTION OF IT.

(b) WHEN PART OF THE AIR PROVIDED BY A MECHANICAL VENTILATION SYSTEM IS RECIRCULATED, THE PORTION OR VOLUME OF AIR RECIRCULATED MAY NOT BE RECIRCULATED TO A DIFFERENT HABITABLE AREA.

AS AMENDED

## SECTION 162-12. PLUMBING FACILITIES AND FIXTURE REQUIREMENTS.

A. SCOPE. THE PROVISIONS OF THIS CODE SHALL GOVERN THE MINIMUM STANDARDS FOR PLUMBING FACILITIES AND FIXTURES.

B. REQUIRED PLUMBING FACILITIES. EACH HOUSING UNIT SHALL INCLUDE ITS OWN PLUMBING FACILITIES WHICH SHALL BE MAINTAINED IN PROPER OPERATING CONDITION, CAN BE USED IN PRIVACY, AND ARE ADEQUATE FOR PERSONAL CLEANLINESS AND THE DISPOSAL OF HUMAN WASTE. THE FOLLOWING MINIMUM PLUMBING FACILITIES SHALL BE SUPPLIED AND MAINTAINED IN A SANITARY AND SAFE WORKING CONDITION:

(1) WATER CLOSET AND LAVATORY.

(a) EACH HOUSING UNIT SHALL CONTAIN WITHIN ITS WALLS A ROOM SEPARATE FROM OTHER HABITABLE AREAS, WHICH PROVIDES A WATER CLOSET SUPPLIED WITH COLD RUNNING WATER AND WHICH AFFORDS PRIVACY.

(b) A LAVATORY SHALL BE PLACED IN THE SAME ROOM AS THE WATER CLOSET OR LOCATED IN ANOTHER ROOM, IN CLOSE PROXIMITY TO THE DOOR LEADING DIRECTLY INTO THE ROOM IN WHICH THE WATER CLOSET IS LOCATED.

(c) THE LAVATORY SHALL BE SUPPLIED WITH HOT AND COLD RUNNING WATER.

(2) BATHTUB OR SHOWER. EACH HOUSING UNIT SHALL CONTAIN A ROOM WHICH IS EQUIPPED WITH A BATHTUB OR SHOWER SUPPLIED WITH HOT AND COLD RUNNING WATER AND WHICH AFFORDS PRIVACY.

(3) KITCHEN SINK. EACH HOUSING UNIT SHALL CONTAIN A KITCHEN SINK APART FROM THE LAVATORY REQUIRED BY THIS SECTION. THE SINK SHALL BE SUPPLIED WITH HOT AND COLD RUNNING WATER.

C. ALTERNATIVE PLUMBING. ALTERNATIVE PLUMBING FACILITIES AND FIXTURES FOR USE IN HOUSING UNITS MAY BE ALLOWED AS APPROVED ON A CASE-BY-CASE BASIS BY THE DIRECTOR OF THE DEPARTMENT OR DESIGNEE.

## AS AMENDED

## 1 D. PLUMBING FIXTURES.

2 (1) GENERAL. ALL PLUMBING FIXTURES SHALL BE  
3 MAINTAINED IN A SAFE AND USABLE CONDITION. ALL PLUMBING  
4 FIXTURES SHALL BE OF NONABSORBENT MATERIAL AND SHALL HAVE  
5 RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

## 6 (2) CONNECTIONS.

7 (a) WATER SUPPLY LINES, PLUMBING FIXTURES,  
8 VENTS, AND DRAINS SHALL BE PROPERLY INSTALLED, CONNECTED, AND  
9 MAINTAINED IN WORKING ORDER, SHALL BE KEPT FREE FROM  
10 OBSTRUCTIONS, LEAKS, AND DEFECTS, AND SHALL BE CAPABLE OF  
11 PERFORMING THE FUNCTION FOR WHICH THEY ARE DESIGNED.

12 (b) ALL REPAIRS AND INSTALLATIONS SHALL BE  
13 MADE IN ACCORDANCE WITH THE PROVISIONS OF THE APPLICABLE LOCAL  
14 BUILDING CODE OR APPLICABLE LOCAL PLUMBING CODE.

15 (3) MAINTENANCE. ALL PLUMBING FIXTURES SHALL BE  
16 MAINTAINED IN A CLEAN AND SANITARY CONDITION SO AS NOT TO BREED  
17 INSECTS AND RODENTS, OR PRODUCE DANGEROUS OR OFFENSIVE GASES OR  
18 ODORS.

19 (4) ACCESS FOR CLEANING. PLUMBING FIXTURES SHALL  
20 BE INSTALLED TO PERMIT EASY ACCESS FOR CLEANING BOTH THE  
21 FIXTURE AND THE AREA AROUND IT.

## 22 E. WATER SYSTEM.

23 (1) GENERAL. EACH SINK, LAVATORY, BATHTUB OR  
24 SHOWER, DRINKING FOUNTAIN, WATER CLOSET, OR OTHER PLUMBING  
25 FACILITY SHALL BE PROPERLY CONNECTED TO EITHER A PUBLIC WATER  
26 SYSTEM OR TO A PRIVATE WATER SYSTEM WHICH HAS RECEIVED ALL  
27 NECESSARY AND LEGALLY REQUIRED APPROVALS.

28 (2) CONTAMINATION. THE WATER SUPPLY SHALL BE  
29 MAINTAINED FREE FROM CONTAMINATION. ALL WATER INLETS FOR  
30 PLUMBING FIXTURES SHALL BE LOCATED ABOVE THE OVERFLOW RIM OF  
31 THE FIXTURE.  
32

1 (3) WATER SUPPLY. THE WATER SUPPLY SYSTEM SHALL  
2 BE INSTALLED AND MAINTAINED TO PROVIDE AT ALL TIMES A SUPPLY OF  
3 WATER TO PLUMBING FACILITIES, FIXTURES, DEVICES, AND  
4 APPURTENANCES IN SUFFICIENT VOLUME AND AT PRESSURES ADEQUATE TO  
5 ENABLE THEM TO FUNCTION SATISFACTORILY.

6 (4) WATER HEATING FACILITIES.

7 (a) WATER HEATING FACILITIES SHALL BE  
8 INSTALLED IN A MANNER WHICH HAS RECEIVED ALL NECESSARY AND  
9 LEGALLY REQUIRED APPROVALS, BE PROPERLY MAINTAINED, AND  
10 PROPERLY CONNECTED WITH HOT WATER LINES TO THE FIXTURES  
11 REQUIRED TO BE SUPPLIED WITH HOT WATER.

12 (b) WATER HEATING FACILITIES SHALL BE  
13 CAPABLE OF HEATING WATER TO SUCH A TEMPERATURE SO AS TO PERMIT  
14 AN ADEQUATE AMOUNT OF WATER TO BE DRAWN AT EVERY KITCHEN SINK,  
15 LAVATORY BASIN, BATHTUB, SHOWER, AND LAUNDRY FACILITY OR OTHER  
16 SIMILAR FACILITIES, AT A TEMPERATURE REQUIRED BY LOCAL PLUMBING  
17 CODE.

18 (5) ALTERNATIVE WATER SYSTEMS. ALTERNATIVE WATER  
19 SYSTEMS MAY BE ALLOWED AS APPROVED ON A CASE-BY-CASE BASIS BY  
20 THE DIRECTOR OF THE DEPARTMENT OR DESIGNEE.

21 F. SEWAGE SYSTEM.

22 (1) GENERAL. EACH SINK, LAVATORY, BATHTUB OR  
23 SHOWER, DRINKING FOUNTAIN, WATER CLOSET, OR OTHER PLUMBING  
24 FACILITY SHALL BE PROPERLY CONNECTED TO EITHER A PUBLIC SEWER  
25 SYSTEM OR PRIVATE SEWAGE DISPOSAL SYSTEM WHICH HAS RECEIVED ALL  
26 NECESSARY AND LEGALLY REQUIRED APPROVALS.

27 (2) MAINTENANCE.

28 (a) EACH PLUMBING STACK, WASTE AND SEWER  
29 LINE SHALL BE INSTALLED AND MAINTAINED SO AS TO FUNCTION  
30 PROPERLY AND SHALL BE KEPT FREE FROM OBSTRUCTIONS, LEAKS, AND  
31 DEFECTS TO PREVENT STRUCTURAL DETERIORATION OR HEALTH HAZARDS.  
32

1 (b) ALL REPAIRS AND INSTALLATIONS SHALL  
2 RECEIVE ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

3 SECTION 162-13. MECHANICAL AND ELECTRICAL REQUIREMENTS.

4 A. SCOPE. THE PROVISIONS OF THIS CODE SHALL GOVERN  
5 THE MINIMUM STANDARDS FOR MECHANICAL AND ELECTRICAL FACILITIES  
6 AND EQUIPMENT.

7 B. HEATING FACILITIES.

8 (1) STRUCTURES.

9 (a) EACH HOUSING UNIT SHALL BE SUPPLIED  
10 WITH SUFFICIENT HEAT OR HEATING EQUIPMENT CAPABLE OF SUPPLYING  
11 SUFFICIENT HEAT DURING THE PERIOD FROM OCTOBER 1 TO MAY 15 TO  
12 MAINTAIN A ROOM TEMPERATURE OF NOT LESS THAN 68 DEGREES  
13 FAHRENHEIT IN ALL HABITABLE AREAS DURING THE HOURS BETWEEN 6:30  
14 A.M. AND 10:30 P.M. OF EACH DAY AND MAINTAIN A TEMPERATURE OF  
15 NOT LESS THAN 60 DEGREES FAHRENHEIT DURING OTHER HOURS.

16 (b) THE TEMPERATURE SHALL BE MEASURED AT A  
17 POINT 3 FEET ABOVE THE FLOOR AND 3 FEET FROM EXTERIOR WALLS.

18 (c) EXCEPTION. WHEN THE OUTSIDE  
19 TEMPERATURE FALLS BELOW 0 DEGREES FAHRENHEIT AND THE HEATING  
20 SYSTEM IS OPERATING AT ITS FULL CAPACITY, A MINIMUM ROOM  
21 TEMPERATURE OF 60 DEGREES FAHRENHEIT SHALL BE MAINTAINED AT ALL  
22 TIMES.

23 (2) COOKING AND HEATING EQUIPMENT.

24 (a) ALL COOKING AND HEATING EQUIPMENT,  
25 COMPONENTS, AND ACCESSORIES IN HEATING, COOKING, AND WATER  
26 HEATING DEVICES SHALL BE MAINTAINED FREE FROM LEAKS AND WATER  
27 FLOW OBSTRUCTIONS, AND KEPT FUNCTIONING PROPERLY SO AS TO BE  
28 FREE FROM FIRE, HEALTH, AND SAFETY HAZARDS.

29 (b) ALL INSTALLATIONS AND REPAIRS SHALL BE  
30 MADE IN ACCORDANCE WITH THE PROVISIONS OF THE APPLICABLE LOCAL  
31 BUILDING CODE, OR OTHER APPLICABLE LAWS OR ORDINANCES.  
32

AS AMENDED

1 (c) PORTABLE COOKING EQUIPMENT EMPLOYING  
2 FLAME IS PROHIBITED, EXCEPT FOR RESIDENTIAL TYPE FOOD TRAYS OR  
3 SALVERS WHICH ARE HEATED BY A CANDLE OR ALCOHOL LAMP AND WHICH  
4 HAVE RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

5 (3) INSTALLATION. ALL MECHANICAL EQUIPMENT USED  
6 FOR HEATING AND COOKING SHALL BE PROPERLY INSTALLED, SAFELY  
7 MAINTAINED IN GOOD WORKING CONDITION, AND SHALL BE CAPABLE OF  
8 PERFORMING THE FUNCTION FOR WHICH IT WAS DESIGNED AND INTENDED.

9 (4) FUEL BURNING EQUIPMENT. ALL FUEL-BURNING  
10 EQUIPMENT SHALL BE CONNECTED TO A CHIMNEY, FLUE, OR VENT IN  
11 ACCORDANCE WITH APPLICABLE LOCAL OR STATE CODES, OR ACCORDING  
12 TO MANUFACTURER'S INSTRUCTIONS IN CASES WHERE NO LOCAL OR STATE  
13 CODES APPLY.

14 (5) CLEARANCES. ALL NECESSARY AND LEGALLY  
15 REQUIRED CLEARANCES TO COMBUSTIBLE MATERIALS SHALL BE  
16 MAINTAINED.

17 (6) SAFETY CONTROLS. ALL SAFETY CONTROLS FOR  
18 FUEL-BURNING EQUIPMENT SHALL BE MAINTAINED IN EFFECTIVE  
19 OPERATION IN ACCORDANCE WITH APPLICABLE LOCAL OR STATE CODES,  
20 OR ACCORDING TO MANUFACTURER'S INSTRUCTIONS IN CASES WHERE NO  
21 LOCAL OR STATE CODES APPLY.

22 (7) COMBUSTION AIR. A SUPPLY OF AIR FOR COMPLETE  
23 COMBUSTION OF THE FUEL AND FOR VENTILATION OF THE SPACE SHALL  
24 BE PROVIDED THE FUEL-BURNING EQUIPMENT.

25 (8) UNAUTHORIZED DEVICES. DEVICES PURPORTING TO  
26 REDUCE GAS CONSUMPTION BY ATTACHMENT TO A GAS APPLIANCE, THE  
27 GAS SUPPLY LINE, OR THE VENT OUTLET OR VENT PIPING MAY NOT BE  
28 USED UNLESS LABELED FOR THAT USE AND THE INSTALLATION HAS  
29 SPECIFICALLY RECEIVED ALL NECESSARY AND LEGALLY REQUIRED  
30 APPROVALS.

AS AMENDED

(9) FIREPLACES. FIREPLACES AND OTHER CONSTRUCTION AND DEVICES INTENDED FOR USE SIMILAR TO A FIREPLACE, SHALL BE STABLE AND STRUCTURALLY SAFE AND CONNECTED TO CHIMNEYS WHICH HAVE RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

(10) CLIMATE CONTROL. WHEN FACILITIES FOR INTERIOR CLIMATE CONTROL (HEATING, COOLING, AND HUMIDITY) ARE INTEGRAL FUNCTIONS OF HOUSING UNITS, THESE FACILITIES SHALL BE MAINTAINED AND OPERATED IN ACCORDANCE WITH THE DESIGNED CAPACITY.

C. ELECTRICAL FACILITIES.

(1) FACILITIES REQUIRED. ALL UNITS SHALL BE SUPPLIED WITH AN ELECTRICAL SERVICE OF NO LESS THAN 60 AMP., 120/240 VOLT.

(2) RECEPTACLES. EACH HABITABLE AREA IN A HOUSING UNIT SHALL CONTAIN AT LEAST ONE RECEPTACLE OUTLET. EACH LAUNDRY AREA AND BATHROOM SHALL CONTAIN AT LEAST ONE GROUNDED TYPE RECEPTACLE. ~~EVERY/LAUNDRY/AREA/SHALL/CONTAIN/AT LEAST//ONE//RECEPTACLE//OUTLET//EVERY/BATHROOM/SHALL/CONTAIN/AT LEAST//ONE//GROUND//FAULT//CIRCUIT//INTERRUPTER//PROTECTED RECEPTACLE/~~ EVERY KITCHEN SHALL HAVE AT LEAST TWO RECEPTACLE OUTLETS. ~~ALL/RECEPTACLE/OUTLETS/ARE/TO/BE/THE/GROUNDED/TYPE//~~

(3) LIGHTING FIXTURES.

~~(a)~~ EACH RENTAL UNIT, EVERY PUBLIC HALL, WATER CLOSET COMPARTMENT, FURNACE ROOM, HALLWAY, CORRIDOR, INTERIOR STAIRWAY, BATHROOM, LAUNDRY ROOM AND KITCHEN SHALL CONTAIN AT LEAST ONE ~~SWITCH-OPERATED~~ ELECTRICAL LIGHTING FIXTURE.

~~(b)///ALL//PUBLIC//AND//COMMON//AREA//LIGHTING//IN HALLWAYS///CORRIDORS//AND//AT//EXTERIOR//ENTRANCES//MAY//BE//SWITCHED BY//OTHER//APPROVED//DEVICES//SUCH//AS//TIMERS//OR//PHOTOCELL//SWITCHES/~~

1 (4) INSTALLATION. ALL ELECTRICAL EQUIPMENT,  
2 WIRING, AND APPLIANCES SHALL BE INSTALLED AND MAINTAINED IN A  
3 SAFE MANNER IN ACCORDANCE WITH APPLICABLE LAWS. ALL  
4 ELECTRICAL EQUIPMENT SHALL BE OF A TYPE WHICH HAS RECEIVED ALL  
5 NECESSARY AND LEGALLY REQUIRED APPROVALS.

6 SECTION 162-14. FIRE SAFETY REQUIREMENTS.

7 A. SCOPE. THE PROVISIONS OF THIS CODE SHALL GOVERN  
8 THE MINIMUM STANDARDS FOR FIRE SAFETY FACILITIES AND  
9 EQUIPMENT. ALL STRUCTURES SHALL BE CONSTRUCTED AND MAINTAINED  
10 TO PREVENT AND AVOID FIRE HAZARDS, AND IN A MANNER CONDUCIVE TO  
11 FIRE SAFETY.

12 B. MEANS OF EGRESS.

13 (1) GENERAL. A SAFE, CONTINUOUS, AND  
14 UNOBSTRUCTED MEANS OF EGRESS SHALL BE PROVIDED FROM THE  
15 INTERIOR OF A STRUCTURE TO THE EXTERIOR AT A STREET, YARD,  
16 COURT, OR PASSAGEWAY LEADING TO A PUBLIC OPEN AREA AT GRADE.

17 (2) DIRECT EXIT. EACH HOUSING UNIT SHALL HAVE  
18 ACCESS DIRECTLY TO THE OUTSIDE OR TO A COMMON AREA THAT LEADS  
19 DIRECTLY TO THE OUTSIDE.

20 (3) DOORS. ALL DOORS IN THE REQUIRED MEANS OF  
21 EGRESS SHALL BE EASILY OPENED FROM THE INNER SIDE/ ~~1. DOUBLE~~  
22 ~~CYLINDER/DEAD/BOLTS/SHALL/NOT/BE/PERMITTED/ON/MAIN/EGRESS/DOORS~~  
23 ~~UNLESS/THE/LOCK/IS/DESIGNED/TO/PREVENT/THE/REMOVAL/OF/THE/KEY~~  
24 ~~FROM/THE/INSIDE/IN/THE/LOCKED/POSITION.~~

25 (4) FIRE ESCAPES. ALL FIRE ESCAPES SHALL BE  
26 MAINTAINED IN WORKING CONDITION AND BE STRUCTURALLY SOUND AND  
27 ADHERE TO LOCAL BUILDING CODES, AND ALL APPLICABLE LOCAL AND  
28 STATE LAWS.

29 (5) EXIT SIGNS. ALL EXIT SIGNS SHALL BE  
30 MAINTAINED AND VISIBLE IN ACCORDANCE WITH THE APPLICABLE STATE  
31 AND LOCAL CODE.  
32

1 (6) EMERGENCY ESCAPE. EVERY BASEMENT SLEEPING  
2 ROOM SHALL HAVE AT LEAST ONE (1) OPERABLE WINDOW OR EXTERIOR  
3 DOOR APPROVED FOR EMERGENCY EGRESS OR RESCUE. THE UNITS MUST BE  
4 OPERABLE FROM THE INSIDE OPENING WITHOUT THE USE OF SEPARATE  
5 TOOLS. WHERE WINDOWS ARE PROVIDED AS A MEANS OF EGRESS OR  
6 RESCUE THEY SHALL HAVE A SILL HEIGHT NOT MORE THAN FORTY-FOUR  
7 (44) INCHES ABOVE THE FLOOR. ALL EGRESS OR RESCUE WINDOWS FROM  
8 SLEEPING ROOMS MUST HAVE A MINIMUM NET CLEAR OPENING OF FIVE  
9 (5) SQUARE FEET. THE MINIMUM NET CLEAR OPENING HEIGHT  
10 DIMENSION SHALL BE TWENTY-FOUR (24) INCHES. THE MINIMUM NET  
11 CLEAR OPENING WIDTH DIMENSION SHALL BE TWENTY (20) INCHES.  
12 BARS, GRILLS OR SCREENS PLACED OVER EMERGENCY ESCAPE WINDOWS  
13 SHALL BE RELEASABLE OR REMOVABLE FROM THE INSIDE WITHOUT THE  
14 USE OF A KEY, TOOL OR EXCESSIVE FORCE.

15 (7) AN EXCEPTION TO NUMBER SIX (6) ABOVE - A  
16 COMPLETE RESIDENTIAL FIRE SPRINKLER SYSTEM MAY BE INSTALLED.  
17 INSTALLATION MUST BE IN ACCORDANCE WITH THE STATE FIRE  
18 PREVENTION CODE.

19 C. ACCUMULATIONS AND STORAGE.

20 (1) GENERAL. GARBAGE OR RUBBISH MAY NOT BE  
21 ALLOWED TO ACCUMULATE IN STAIRWAYS, PASSAGEWAYS, DOORS,  
22 WINDOWS, FIRE ESCAPES, OR OTHER MEANS OF EGRESS.

23 (2) FLAMMABLE MATTER. HIGHLY FLAMMABLE OR  
24 EXPLOSIVE MATTER, SUCH AS PAINTS, VOLATILE OILS AND CLEANING  
25 FLUIDS, OR COMBUSTIBLE RUBBISH SUCH AS WASTE PAPER, BOXES, AND  
26 RAGS, MAY NOT BE ACCUMULATED OR STORED ON PREMISES EXCEPT IN  
27 REASONABLE QUANTITIES CONSISTENT WITH NORMAL USAGE.

28 (3) RESIDENTIAL UNIT. A HOUSING UNIT MAY NOT BE  
29 LOCATED WITHIN A STRUCTURE CONTAINING AN ESTABLISHMENT  
30 HANDLING, DISPENSING, OR STORING FLAMMABLE LIQUIDS WITH A FLASH  
31 POINT OF 100 DEGREES FAHRENHEIT OR LOWER.  
32

1 D. FIRE RESISTANCE RATINGS. FLOORS, WALLS, CEILINGS,  
2 AND OTHER ELEMENTS AND COMPONENTS WHICH ARE REQUIRED BY THE  
3 APPLICABLE FIRE CODE TO COMPLY WITH A FIRE RESISTANCE  
4 RATINGS SHALL BE MAINTAINED SO THAT THE RESPECTIVE FIRE  
5 RESISTANCE RATING OF THE ENCLOSURE, SEPARATION, OR CONSTRUCTION  
6 IS PRESERVED.

7 E. FIRE PROTECTION SYSTEMS.

8 (1) GENERAL. ALL FIRE PROTECTION SYSTEMS AND  
9 EQUIPMENT SHALL BE MAINTAINED IN PROPER OPERATING CONDITION AT  
10 ALL TIMES.

11 (2) SMOKE DETECTORS.

12 (a) ALL HOUSING UNITS SHALL BE PROVIDED  
13 WITH A MINIMUM OF ONE SINGLE STATION SMOKE DETECTOR IN THE  
14 VICINITY OF EACH SLEEPING AREA.

15 (b) THE SMOKE DETECTORS SHALL BE INSTALLED  
16 AND MAINTAINED IN ACCORDANCE WITH ARTICLE 38A, SECTION 12A,  
17 ENTITLED, "SMOKE DETECTION SYSTEMS," OF THE ANNOTATED CODE OF  
18 MARYLAND.

19 (c) WHEN ACTUATED, THE SMOKE DETECTOR SHALL  
20 PROVIDE AN ALARM SUITABLE TO WARN THE OCCUPANTS WITHIN THE  
21 UNIT.

22 (3) FIRE SUPPRESSION SYSTEM. FIRE SUPPRESSION  
23 SYSTEMS IN HOUSING UNITS SO EQUIPPED SHALL BE MAINTAINED IN  
24 GOOD CONDITION, FREE FROM MECHANICAL DEFECT. SPRINKLER HEADS  
25 SHALL BE KEPT CLEAN AND FREE OF CORROSION AND PAINT, AND MAY  
26 NOT BE BENT OR DAMAGED.

27 (4) FIRE EXTINGUISHERS. ALL PORTABLE FIRE  
28 EXTINGUISHERS IN HOUSING UNITS SO EQUIPPED SHALL BE VISIBLE AND  
29 ACCESSIBLE, AND MAINTAINED IN AN EFFICIENT AND SAFE OPERATING  
30 CONDITION.

## F. FIRE DOORS.

(1) ALL NECESSARY AND LEGALLY REQUIRED FIRE RESISTANCE RATED DOORS OR SMOKE BARRIERS SHALL BE MAINTAINED IN GOOD WORKING ORDER, INCLUDING ALL HARDWARE NECESSARY FOR THEIR PROPER OPERATION.

(2) ONLY APPROVED DOOR STOPS, HOLD-OPEN DEVICES OR OTHER DOOR HARDWARE SHALL BE USED ON EGRESS DOORS, FIRE DOORS OR SMOKE BARRIER DOORS.

## SECTION 162-15. RESPONSIBILITY OF PERSONS.

A. SCOPE. THE PROPERTY OWNER OR TENANT SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE PROVISIONS OF THIS CODE, AND MAY BE CITED FOR VIOLATIONS OF IT, EXCEPT AS PROVIDED IN THIS CODE. UNLESS A WAIVER IS GRANTED IN ACCORDANCE WITH THIS CODE, NO PERSON MAY RENT OR LEASE TO ANOTHER PERSON FOR OCCUPANCY OR USE ANY HOUSING UNIT WITHOUT THE STRUCTURE AND PREMISES COMPLYING WITH THE PROVISIONS OF THIS CODE.

B. GENERAL. A PROPERTY OWNER MAY NOT BE CITED FOR A VIOLATION OF THIS CODE THAT IS CAUSED BY THE NEGLIGENT, WRONGFUL OR MALICIOUS ACTS OR OMISSIONS OF A TENANT, PROVIDED THE PROPERTY OWNER'S ACTS OR OMISSIONS HAVE NOT CONTRIBUTED IN ANY WAY TO CAUSE THE VIOLATION.

C. THE CODE OFFICIAL SHALL HAVE THE AUTHORITY TO CITE A TENANT FOR A VIOLATION(S) OF THE PROVISIONS OF THIS SUBSECTION THAT ARE THE TENANT'S RESPONSIBILITY.

~~B/~~ D. SANITARY CONDITIONS.

## (1) CLEANLINESS.

(a) THE TENANT SHALL BE RESPONSIBLE FOR KEEPING THAT PART OF THE STRUCTURE OR PREMISES WHICH THE TENANT OCCUPIES, CONTROLS, OR USES IN A CLEAN AND SANITARY CONDITION.

(b) EACH PROPERTY OWNER OF A STRUCTURE CONTAINING TWO OR MORE HOUSING UNITS SHALL MAINTAIN, IN A CLEAN

1 AND SANITARY CONDITION, THE COMMON AREAS OF THE STRUCTURE AND  
2 PREMISES.

3 (2) DISPOSAL AND STORAGE OF RUBBISH AND GARBAGE.  
4 THE TENANT SHALL BE RESPONSIBLE FOR THE STORAGE AND DISPOSAL OF  
5 RUBBISH AND GARBAGE IN A CLEAN AND SANITARY MANNER AS MAY BE  
6 REQUIRED BY APPLICABLE LAWS OR ORDINANCES.

7 (3) SUPPLIED FIXTURES AND EQUIPMENT.

8 (a) THE TENANT SHALL BE RESPONSIBLE FOR  
9 KEEPING OWNER-SUPPLIED EQUIPMENT AND FIXTURES CLEAN AND  
10 SANITARY, AND FOR THE EXERCISE OF REASONABLE CARE IN THEIR  
11 PROPER USE AND OPERATION.

12 (b) THE PROPERTY OWNER SHALL BE RESPONSIBLE  
13 FOR MAINTAINING THE EQUIPMENT AND FIXTURES IN GOOD AND PROPER  
14 OPERATING CONDITION.

15 (4) FURNISHED BY TENANT. THE TENANT SHALL BE  
16 RESPONSIBLE FOR THE MAINTENANCE OF EQUIPMENT AND FIXTURES  
17 FURNISHED BY THE TENANT. THE EQUIPMENT AND FIXTURES SHALL BE  
18 PROPERLY INSTALLED, AND SHALL BE MAINTAINED IN GOOD WORKING  
19 CONDITION, KEPT CLEAN AND SANITARY, AND FREE OF DEFECTS, LEAKS  
20 OR OBSTRUCTIONS.

21 C/ E. EXTERMINATION.

22 (1) ALL STRUCTURES. IF NECESSARY, THE PROPERTY  
23 OWNER SHALL BE RESPONSIBLE FOR EXTERMINATION WITHIN THE  
24 STRUCTURE AND ON THE PREMISES BEFORE RENTING OR LEASING THE  
25 STRUCTURE.

26 (2) SINGLE OCCUPANCY. THE TENANT OF A STRUCTURE  
27 CONTAINING A SINGLE HOUSING UNIT SHALL BE RESPONSIBLE FOR THE  
28 EXTERMINATION OF ANY INSECTS, RODENTS, OR OTHER PESTS IN THE  
29 STRUCTURE OR THE PREMISES.

30 (3) MULTIPLE OCCUPANCY. EACH PROPERTY OWNER OR  
31 OPERATOR OF A STRUCTURE CONTAINING TWO OR MORE HOUSING UNITS  
32 SHALL BE RESPONSIBLE FOR THE EXTERMINATION OF ANY INSECTS,

AS AMENDED

1 RODENTS, OR OTHER PESTS IN THE STRUCTURE OR ON THE PREMISES  
2 EXCEPT WHERE INFESTATION WITHIN A HOUSING UNIT IS CAUSED BY A  
3 FAILURE OF THE TENANT TO TAKE REASONABLE ACTION TO PREVENT THE  
4 INFESTATION WITHIN THE HOUSING UNIT.

5 Ø/ F. FIRE SAFETY. RESPONSIBILITY FOR INSTALLING AND  
6 MAINTAINING IN GOOD WORKING ORDER ANY SMOKE DETECTOR INSTALLED  
7 PURSUANT TO THIS CODE SHALL BE IN ACCORDANCE WITH ARTICLE 38A,  
8 SECTION 12A, ENTITLED, "SMOKE DETECTION SYSTEMS," OF THE  
9 ANNOTATED CODE OF MARYLAND.

10 SECTION 162-16 RETALIATORY EVICTIONS.

11 NO PROPERTY OWNER OR OPERATOR SHALL EVICT AN OCCUPANT OF  
12 ANY RENTAL HOUSING UNIT SOLELY BECAUSE THE OCCUPANT HAS FILED A  
13 WRITTEN COMPLAINT OR COMPLAINTS WITH THE DEPARTMENT. NOTHING  
14 CONTAINED HEREIN IS INTENDED TO SUPERCEDE THE APPLICATION OR  
15 PROVISIONS OF SECTION 8-208.1 OF THE REAL PROPERTY ARTICLE.

16 SECTION 162-17. SEVERABILITY.

17 THE PROVISIONS OF THIS CODE ARE SEVERABLE. A JUDGMENT BY  
18 ANY COURT OF COMPETENT JURISDICTION FINDING OR DECLARING THAT  
19 ANY PROVISION OF THIS CODE OR THE APPLICATION OF ANY PROVISION  
20 TO A PERSON OR CIRCUMSTANCE IS INVALID DOES NOT AFFECT THE  
21 VALIDITY OF THE REMAINING PROVISIONS OF THIS CODE OR ANY OTHER  
22 LAW, WHICH SHALL HAVE FULL FORCE AND EFFECT AS IF NO JUDGMENT  
23 HAD BEEN ENTERED.

24 Section 2. And Be It Further Enacted, that the Department of  
25 Inspections, Licenses, and Permits shall submit to the County  
26 Council, not more than 90 calendar days after this Act becomes  
27 law, a list of proposed standards to be used in granting  
28 waivers under the provisions of Section 162-4 of the Harford  
29 County Code, as enacted by this Act. The provisions of Section  
30 162-4 shall take effect only after the proposed standards have  
31 been approved by resolution of the Council.  
32

AS AMENDED

1 Section 2/ 3. And Be It Further Enacted, that the provisions of  
2 Section 162-8 of the Harford County Code, as enacted by Section  
3 1 of this Act, shall take effect January 1, 1989.

4 Section 2/ 3/ 4. And Be It Further Enacted ~~that~~ that, subject  
5 to the provisions of Section 2 of this Act, this act shall take  
6 effect sixty (60) calendar days from the date it becomes law.

7 EFFECTIVE: October 4, 1988

88-43

BY THE COUNCIL

AS AMENDED

BILL NO. 88-43 (As Amended)

Read the third time.

Passed LSD 88-24 (August 2, 1988) (with amendments)

Failed of Passage \_\_\_\_\_

By Order

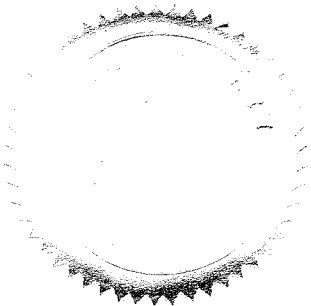
Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 3rd day of August, 1988  
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

APPROVED:



[Signature]  
County Executive

Date 8-5-88

BY THE COUNCIL

This Bill, (No. 88-43 As Amended), having been approved by the  
Executive and returned to the Council, becomes law on August 5, 1988.

Doris Poulsen, Secretary

EFFECTIVE DATE: October 4, 1988

88-43

AS AMENDED